

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**


**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**V.**

**ROY W. HILL, ERIC N. SHELLY,  
CLEAN ENERGY TECHNOLOGY  
ASSOCIATION, INC., and  
FREEDOM IMPACT CONSULTING, LLC,**

**Defendants.**



**Case No.: 6:23-CV-00321-ADA-DTG**

**PLAINTIFF’S REQUEST FOR CLERK TO ENTER DEFAULT  
AGAINST DEFENDANT ERIC N. SHELLY**

Plaintiff Securities and Exchange Commission (“Commission”), pursuant to Rule 55 of the Federal Rules of Civil Procedure, requests the Clerk of this honorable Court to enter a default against Defendant Eric N. Shelly (“Shelly” or “Defendant”) for his failure to answer, plead, or otherwise respond to the Complaint filed in this action. In support of this request, the Commission would show the following:

1. The Commission filed its Complaint in this case on May 3, 2023. [Doc. 1.] The Clerk issued a Summons against each of the Defendants on May 3, 2023. [Doc. 6.]

2. Defendant was properly served with process on May 5, 2022. [Doc. 11]
- Defendant was required to file an answer to, or otherwise defend, the Commission’s Complaint by May 26, 2023. *See* FED. R. CIV. P. 12; Declaration of Jennifer D. Reece (“Reece Dec.”), attached hereto as Exhibit 1, at ¶ 4.

4. To date, Defendant has not filed an answer to the Complaint or otherwise defended the Complaint in this civil action. [*Id.* at ¶5.] Thus, Defendant is in default.

5. Defendant is neither an infant, in the military, or is an incompetent person, and is not eligible for relief under the Service members Civil Relief Act of 2003 [50 U.S.C. Appendix, ¶ 501 *et seq.*]. [Reece Dec. at ¶7.]

Therefore, the Commission respectfully requests that the Clerk enter a default as to Defendant Shelly.

Dated: August 1, 2023.

Respectfully submitted,

s/ Jennifer D. Reece  
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ATTORNEYS FOR PLAINTIFF  
SECURITIES AND EXCHANGE COMMISSION

### **CERTIFICATE OF SERVICE**

I certify that on August 1, 2023, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Western District of Texas, Waco Division using the electronic case filing system of the court. I hereby certify that I have served a copy of this document on all parties in accordance with FED. R. CIV. PRO. 5(b)(2).

/s/ Jennifer D. Reece  
Jennifer D. Reece